

REMARKS

The Office Action dated July 22, 2008 has been thoroughly reviewed and Applicants submit that all issues raised therein have been addressed in this Response. Claims 1-20 are pending in the subject Application, with claims 1, 18 and 19 being independent. Claims 1-6, 8, 10-13 and 17-19 have been amended and new claims 21-27 have been added. Applicants have also amended two paragraphs in the Specification to correct minor typographical errors. No new matter has been added.

Applicants thank the Examiner for extending Applicants' counsel the courtesy of examiner interviews on October 15, 2008 and December 4, 2008 to discuss the Examiner's interpretation of the Cohen reference. In particular, Applicants thank the Examiner for his indication during the December 4, 2008 interview that the claims as currently amended in this Response overcome the rejections in the July 22, 2008 Office Action. Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of the application.

Applicants also note that notwithstanding the amendments in this Response, Applicants reserve their right to pursue broader claims in future continuation applications.

35 U.S.C. § 102

Claims 1-10 and 18-19 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,035,926 to Cohen et al. ("Cohen"). For the following reasons, Applicants respectfully submit that claims 1-10 and 18-19 are patentable over the cited reference.

Amended independent claim 1 is directed to a method for enabling identification of network users having similar interests, and facilitating communication between them. The method includes "calculating a virtual distance between a web page that a user is accessing and other web pages accessed by other users, wherein the web page that the user is accessing and each of the other web pages comprise any web page on the Internet," "displaying for the user a

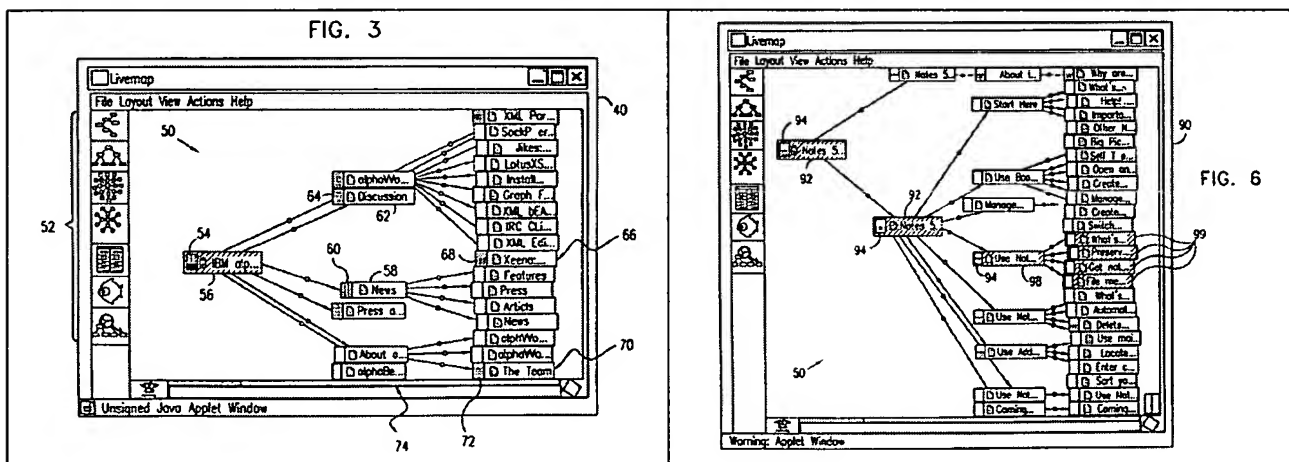
listing of other users determined to be within a predetermined virtual distance from the web page that the user has accessed,” and “enabling the user to communicate with one or more of the other users from the displayed listing.” System claim 18 recites similar patentable features. Applicants submit that Cohen does not anticipate independent claims 1 and 18 because the reference does not disclose, teach or suggest, either expressly or inherently, each and every limitation recited in these claims. (*See* MPEP § 2131).

Claims 1 and 18 recite, in pertinent part, “a web page that a user is accessing and other web pages accessed by other users, wherein the web page that the user is accessing and each of the other web pages comprise any web page on the Internet.” Applicants’ methods and systems are, therefore, different from any of the embodiments disclosed, taught or suggested in Cohen. As stated in Applicants’ specification, the claimed methods and systems identify and connect persons via the Internet with each other based upon similar interests without requiring prior knowledge of or contact with such individuals and without requiring participation from any other web site. (*See, e.g.*, Specification, ¶¶ [001], [004]-[005]). Applicants’ methods and systems match-up people with similar interests by calculating a “virtual distance” between “a web page that a user is accessing and other web pages accessed by other users, wherein the web page that the user is accessing and each of the other web pages comprise any web page on the Internet,” not just those web pages within a specific, pre-selected group or network of web pages or web sites.

As understood by Applicants, Cohen discloses a method for monitoring user activity on a computer network and, in particular, is directed to identifying which users, and how many of those users, are to be found at a particular location within the network. (Cohen, col. 2, ll. 30-39). The Cohen network consists of “a selected group of mutually-linked virtual places, or other resources,” which “are mapped, so as to identify the places and the links between them.” (Cohen, col. 2, ll. 30-39). During the examiner interviews on October 15, 2008 and December 4, 2008, the Examiner indicated that Cohen is limited to a pre-defined, mapped group of nodes, or virtual places. As stated above, the Examiner specifically indicated during the December 4, 2008 interview that the claims 1 and 18 as currently amended overcome the Cohen reference.

Claims 1 and 18 also recite, in pertinent part, “calculating a virtual distance between a web page that a user is accessing and other web pages accessed by other users” and “displaying for the user a listing of other users determined to be within a predetermined virtual distance.” Again, Applicants’ claimed methods and systems are, therefore, different from any embodiment disclosed, taught or suggested in Cohen. Applicants’ claimed methods and systems calculate a virtual distance between two virtual locations, namely, a web page that a user is accessing and a web page being accessed by another user, both of which may be located anywhere on the Internet, and uses the result of this calculation to generate a list of individuals having a “virtual distance” that is equal to or within a certain “predetermined virtual distance” to the user’s web page. (Specification, ¶¶ [035]-[036]).

As understood by Applicants, and as explained above, Cohen discloses a method for monitoring the virtual activity of users on a computer network having a finite number of pre-selected virtual places. (Cohen, col. 2, ll. 30-39). The Cohen interface provides a map of a single web page or web site, as depicted below in Figures 3 and 6:



From these maps, Cohen discloses that a user is able to visually determine who is on a particular web page or web site and, accordingly, how many users are on that web page or web site. Cohen does not, however, disclose, teach or suggest using a “virtual distance” between the web pages or web sites, let alone “calculating a virtual distance,” to provide a “listing of other users determined to be within a predetermined virtual distance from the web page that the user has accessed.”

With respect to claim 19, Applicants submit that this claim is directed to a method for enabling identification of network users having similar interests, and facilitating communication between them. The method includes “identifying a data object that a user is accessing; determining a listing of other users that are currently accessing or that have recently accessed the data object; filtering the listing of other users based on an affinity between data associated with the user and data associated with the other users; displaying the filtered listing of the other users; and enabling the user to communicate with one or more of the other users selected from the displayed filtered listing.”

Applicants respectfully submit that Cohen does not disclose, teach or suggest, either expressly or inherently, each and every element of claim 19. (*See* MPEP § 2131). Cohen is silent as to at least “determining a listing of other users that are currently accessing or that have recently accessed the data object,” “filtering that listing of other users based on an affinity between data associated with the user and data associated with the other users,” and “displaying the filtered listing of the other users.” During the examiner interview on October 15, 2008, the Examiner stated his view that Cohen discloses the “filtered” element of Applicants’ claim 19 by disclosing a selected group of mutually-linked virtual places. Thus, it appears that the Examiner is equating the pre-selected nature of Cohen with Applicants’ “filtering” function. Applicants respectfully disagree.

In Applicants’ claim 19, an initial listing of other users is first determining based on access to a data object. This listing is then filtered based on similarities between data associated with the user and data associated with the other listed users. A resulting filtered list of other users having data affinity with the user is then displayed to the user. Cohen makes no disclosure of data affinities and indeed makes no disclosure as to filtering a list of other users based on these affinities. Moreover, Applicants respectfully submit that the Examiner’s analogy of “filtering” to “pre-selected” is misplaced because, *inter alia*, Applicants’ claim 19 filters users, not nodes, or virtual places. Cohen discloses a “selected group of mutually-linked virtual places,” not users, and therefore makes no teaching or suggestion of filtering users based on data associated with the users. Accordingly, for at least these reasons, Applicants respectfully submit that claim 19 is patentable over Cohen.

35 U.S.C. § 103

Claims 11-17 and 20 have been rejected under 35 U.S.C. §103 as reciting subject matter that would have been obvious over Cohen in view of other prior art. Because claims 11-17 and 20 all depend from amended independent claims 1 and 19, they incorporate the features recited in claims 1 and 19, and therefore, are patentable for at least the reasons noted above. Accordingly, Applicants respectfully request withdrawal of these rejections.

Applicants also respectfully submit that new dependent claims 21-27 are patentable over the cited references for at least the reasons stated above with regard to claims 1-20.

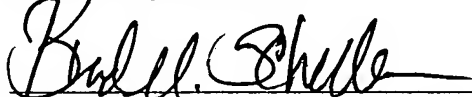
CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of the pending claim and allowance of this Application. In the event the Examiner has further questions or concerns after reviewing this submission, Applicants urge the Examiner to contact Applicants' representatives at the below listed phone number to help expedite the prosecution of this Application.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 50-0311, Reference No. 27683-011. The Director is further authorized to charge any required fee(s) under 37 C.F.R. §§ 1.19, 1.20, and 1.21 to the abovementioned Deposit Account.

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Respectfully submitted,



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